

105TH CONGRESS
1ST SESSION

S. 261

To provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 1997

Mr. DOMENICI (for himself, Mr. FORD, Ms. SNOWE, Mr. THOMPSON, Mr. THOMAS, Mr. ROTH, Mr. MOYNIHAN, Mr. NICKLES, Mr. MCCAIN, Mr. CONRAD, Mr. ABRAHAM, Mr. FRIST, Mr. GRAMS, Mr. LUGAR, Ms. COLLINS, Mr. BREAUX, Mr. DEWINE, Mr. BURNS, Mr. WARNER, Mr. ROBERTS, Mr. COATS, Mr. MACK, Mr. KEMPTHORNE, Mr. D'AMATO, and Mr. ENZI) introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on the Budget and Governmental Affairs, with instructions that if one Committee reports, the other Committee have 30 days to report or be discharged

A BILL

To provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Biennial Budgeting
5 and Appropriations Act”.

1 **SEC. 2. REVISION OF TIMETABLE.**

2 Section 300 of the Congressional Budget Act of 1974
3 (2 U.S.C. 631) is amended to read as follows:

4 “TIMETABLE

5 “SEC. 300. (a) IN GENERAL.—Except as provided by
6 subsection (b), the timetable with respect to the congres-
7 sional budget process for any Congress (beginning with
8 the One Hundred Sixth Congress) is as follows:

| | “First Session |
|--|---|
| “On or before: | Action to be completed: |
| First Monday in Feb- ruary. | President submits budget recommendations. |
| February 15 | Congressional Budget Office submits report to Budget Committees. |
| Within 6 weeks after budget submission. | Committees submit views and estimates to Budget Committees. |
| April 1 | Budget Committees report concurrent resolu- tion on the biennial budget. |
| May 15 | Congress completes action on concurrent res- olution on the biennial budget. |
| May 15 | Biennial appropriation bills may be consid- ered in the House. |
| June 10 | House Appropriations Committee reports last biennial appropriation bill. |
| June 30 | Congress completes action on biennial appro- priation bills. |
| August 1 | Congress completes action on reconciliation legislation. |
| October 1 | Biennium begins. |

“Second Session

| | |
|-----------------------------------|--|
| “On or before: | Action to be completed: |
| February 15 | Congressional Budget Office submits report to Budget Committees. |
| The last day of the ses- sion. | Congress completes action on bills and resolu- tions authorizing a new budget authority for the succeeding biennium. |

9 “(b) SPECIAL RULE.—In the case of any first session
10 of Congress that begins in any year immediately following

1 a leap year and during which the term of a President (ex-
 2 cept a President who succeeds himself) begins, the follow-
 3 ing dates shall supersede those set forth in subsection (a):

“First Session

| “On or before: | Action to be completed: |
|-----------------------------|--|
| First Monday in April | President submits budget recommendations. |
| April 20 | Committees submit views and estimates to Budget Committees. |
| May 15 | Budget Committees report concurrent resolution on the biennial budget. |
| June 1 | Congress completes action on concurrent resolution on the biennial budget. |
| July 1 | Biennial appropriation bills may be considered in the House. |
| July 20 | House Appropriations Committee reports last biennial appropriation bill.”. |

4 **SEC. 3. AMENDMENTS TO THE CONGRESSIONAL BUDGET**
 5 **AND IMPOUNDMENT CONTROL ACT OF 1974.**

6 (a) DECLARATION OF PURPOSE.—Section 2(2) of the
 7 Congressional Budget and Impoundment Control Act of
 8 1974 (2 U.S.C. 621(2)) is amended by striking “each
 9 year” and inserting “biennially”.

10 (b) DEFINITIONS.—

11 (1) Section 3(4) of such Act (2 U.S.C. 622(4))
 12 is amended by striking “fiscal year” each place it
 13 appears and inserting “biennium”.

14 (2) Section 3 of such Act (2 U.S.C. 622) is fur-
 15 ther amended by adding at the end the following
 16 new paragraph:

17 “(11) The term ‘biennium’ means the period of
 18 2 consecutive fiscal years beginning on October 1 of
 19 any odd-numbered year.”.

1 (c) BIENNIAL CONCURRENT RESOLUTION ON THE
2 BUDGET.—

3 (1) Section 301(a) of such Act (2 U.S.C.
4 632(a)) is amended—

5 (A) in the matter preceding paragraph (1)
6 by—

7 (i) striking “April 15 of each year”
8 and inserting “May 15 of each odd-num-
9 bered year”;

10 (ii) striking “the fiscal year beginning
11 on October 1 of such year” the first place
12 it appears and inserting “the biennium be-
13 ginning on October 1 of such year”;

14 (iii) striking “the fiscal year beginning
15 on October 1 of such year” the second
16 place it appears and inserting “each fiscal
17 year in such period”; and

18 (iv) striking “and planning levels for
19 each of the two ensuing fiscal years” and
20 inserting “and the appropriate levels for
21 each of the 4 ensuing fiscal years”;

22 (B) in paragraph (6), by striking “for the
23 fiscal year” and inserting “for each fiscal year
24 in the biennium”; and

1 (C) in paragraph (7), by striking “for the
2 fiscal year” and inserting “for each fiscal year
3 in the biennium”.

4 (2) Section 301(b) of such Act (2 U.S.C.
5 632(b)) is amended—

6 (A) in the matter preceding paragraph (1),
7 by inserting “for a biennium” after “concurrent
8 resolution on the budget”; and

9 (B) in paragraph (3), by striking “for such
10 fiscal year” and inserting “for either fiscal year
11 in such biennium”.

12 (3) Section 301(d) of such Act (2 U.S.C.
13 632(d)) is amended by inserting “(or, if applicable,
14 as provided by section 300(b))” after “United States
15 Code”.

16 (4) Section 301(e) of such Act (2 U.S.C.
17 632(e)) is amended—

18 (A) in the first sentence by striking “fiscal
19 year” and inserting “biennium”;

20 (B) by inserting between the second and
21 third sentences the following new sentence: “On
22 or before April 1 of each odd-numbered year
23 (or, if applicable, as provided by section
24 300(b)), the Committee on the Budget of each
25 House shall report to its House the concurrent

1 resolution on the budget referred to in sub-
2 section (a) for the biennium beginning on Octo-
3 ber 1 of that year.”; and

4 (C) in paragraph (6), by striking “five fis-
5 cal years beginning with such fiscal year” and
6 inserting “six fiscal years beginning with the
7 first fiscal year of such biennium”.

8 (5) Section 301(f) of such Act (2 U.S.C.
9 632(f)) is amended by striking “fiscal year” each
10 place it appears and inserting “biennium”.

11 (6) Section 301(g)(1) of such Act (2 U.S.C.
12 632(g)(1)) is amended by striking “for a fiscal year”
13 and inserting “for a biennium”.

14 (7) The section heading of section 301 of such
15 Act is amended by striking “**ANNUAL**” and insert-
16 ing “**BIENNIAL**”.

17 (8) The item relating to section 301 in the table
18 of contents set forth in section 1(b) of such Act is
19 amended by striking “Annual” and inserting “Bien-
20 nial”.

21 (d) COMMITTEE ALLOCATIONS.—Section 302 is
22 amended—

23 (1) by striking subsection (a)(2) and inserting
24 the following:

1 “(2)(A) For the Senate, the joint explanatory
2 statement accompanying a conference report, on a
3 concurrent resolution on the budget shall include an
4 estimated allocation of the appropriate levels of total
5 new budget authority, total outlays, and social secu-
6 rity outlays, based upon the concurrent resolution as
7 recommended in the conference report, to each com-
8 mittee of the Senate which has jurisdiction over bills
9 and resolutions providing budget authority.

10 “(B) For all committees except the Committee
11 on Appropriations, the allocation under subpara-
12 graph (A) shall include the appropriate levels of
13 budget authority, outlays, and social security outlays
14 for each fiscal year in the biennium and the total of
15 the biennium and the 4 succeeding fiscal years.

16 “(C) For the Committee on Appropriations, the
17 allocation under subparagraph (A) shall include the
18 appropriate levels of budget authority, outlays, and
19 social security outlays for each fiscal year in the bi-
20 ennium.”;

21 (2) in subsection (f)(1)—

22 (A) by striking “for a fiscal year”;

23 (B) by striking “for such fiscal year”, both
24 places it appears; and

1 (C) by striking “effective during such fis-
2 cal year”; and

3 (3) in subsection (f)(2)—

4 (A) by striking the first sentence and in-
5 serting the following: “At any time after Con-
6 gress has completed action on a concurrent res-
7 olution on the budget required to be reported
8 under section 301(a), it shall not be in order to
9 consider any bill, joint resolution, amendment,
10 motion, or conference report, that provides new
11 budget authority, outlays, new spending author-
12 ity (as defined in section 401(c)(2)), or social
13 security outlays in excess of allocations made
14 pursuant to subsection (a) and (b).”; and

15 (B) by striking “Subparagraph (A)” and
16 inserting “The requirement of this paragraph
17 to comply with allocations made pursuant to
18 section 302(a)”.

19 (e) SECTION 303 POINT OF ORDER.—

20 (1) The matter following paragraph (6) of sec-
21 tion 303(a) of such Act (2 U.S.C. 634(a)) is amend-
22 ed by striking “fiscal year” the first place it appears
23 and inserting “biennium”.

24 (2) Section 303(b) of such Act (2 U.S.C.
25 634(b)) is amended—

1 (A) in subparagraphs (A) and (B) of para-
 2 graph (1), by striking “the fiscal year” each
 3 place it appears and inserting “biennium”;

4 (B) in the matter following paragraph
 5 (1)(B), by striking “any calendar year” and in-
 6 serting “any odd-numbered calendar year (or, if
 7 applicable, as provided by section 300(b))”; and

8 (C) by—

9 (i) striking paragraph (2);

10 (ii) striking “(1)”; and

11 (iii) redesignating subparagraphs (A)
 12 and (B) as paragraphs (1) and (2), respec-
 13 tively, and indenting appropriately.

14 (f) PERMISSIBLE REVISIONS OF CONCURRENT RESO-
 15 LUTIONS ON THE BUDGET.—Section 304(a) of such Act
 16 (2 U.S.C. 635) is amended—

17 (1) by striking “fiscal year” the first two places
 18 it appears and inserting “biennium”;

19 (2) by striking “for such fiscal year”; and

20 (3) by inserting before the period “for such bi-
 21 ennium”.

22 (g) PROCEDURES FOR CONSIDERATION OF BUDGET
 23 RESOLUTIONS.—Section 305(a)(3) of such Act (2 U.S.C.
 24 636(b)(3)) is amended by striking “fiscal year” and in-
 25 serting “biennium”.

1 (h) COMPLETION OF HOUSE ACTION ON APPROPRIA-
2 TION BILLS.—Section 307 of such Act (2 U.S.C. 638) is
3 amended—

4 (1) by striking “fiscal year” and inserting “bi-
5 ennium”; and

6 (2) by striking “that year” and inserting “each
7 odd-numbered year”.

8 (i) COMPLETION OF ACTION ON REGULAR APPRO-
9 PRIATION BILLS.—Section 309 of such Act (2 U.S.C.
10 640) is amended—

11 (1) by inserting “of any odd-numbered calendar
12 year” after “July”; and

13 (2) by striking “annual” and inserting “bien-
14 nial”.

15 (j) RECONCILIATION PROCESS.—Section 310(a) of
16 such Act (2 U.S.C. 641(a)) is amended—

17 (1) in the matter preceding paragraph (1), by
18 striking “any fiscal year” and inserting “any bien-
19 nium”; and

20 (2) in paragraph (1) by striking “such fiscal
21 year” each place it appears and inserting “any fiscal
22 year covered by such resolution”.

23 (j) SECTION 311 POINT OF ORDER.—

24 (1)(A) Section 311(a)(1) of such Act (2 U.S.C.
25 642(a)) is amended—

1 (i) by striking “for a fiscal year” and in-
2 serting “for a biennium”;

3 (ii) by striking “such fiscal year” the first
4 place it appears and inserting “either fiscal
5 year in such biennium”;

6 (iii) by striking “during such fiscal year”
7 and inserting “during either fiscal year in such
8 biennium”;

9 (iv) by striking “revenues for such fiscal
10 year” and inserting “revenues for a fiscal
11 year”; and

12 (v) by striking “budget for such fiscal
13 year” and inserting “budget for either fiscal
14 year in such biennium”.

15 (B) Section 311(a)(2)(A) of such Act is amend-
16 ed—

17 (i) by striking “for the first” and inserting
18 “for either”;

19 (ii) by striking “covering such fiscal year”
20 and inserting “covering the biennium”;

21 (iii) by striking “the first fiscal year cov-
22 ered” and inserting “either fiscal year in the bi-
23 ennium covered”; and

24 (iv) by striking “the first fiscal year plus”
25 and inserting “the biennium plus”.

1 (2) Section 311(b) of such Act (2 U.S.C.
2 642(b)) is amended by striking “such fiscal year”
3 the second place it appears and inserting “either fis-
4 cal year in such biennium”.

5 (l) **BILLS PROVIDING NEW SPENDING AUTHORITY.**—
6 Section 401(b)(2) of such Act (2 U.S.C. 651(b)(2)) is
7 amended by striking “for such fiscal year” the second
8 place it appears and inserting “for the biennium in which
9 such fiscal year occurs”.

10 (m) **DATE OF ADJUSTING ALLOCATIONS.**—Section
11 603(a) of such Act (2 U.S.C. 665b) is amended by insert-
12 ing after “April 15” the following “(or if section 300(b)
13 applies by June 15th)”.

14 **SEC. 4. PAY-AS-YOU-GO IN THE SENATE.**

15 Subparagraphs (A), (B), and (C) of section 202(b)(2)
16 of House Concurrent Resolution 67 (104th Congress) are
17 amended to read as follows:

18 “(A) The period of the biennium covered
19 by the most recently adopted concurrent resolu-
20 tion on the budget.

21 “(B) The period of the first six fiscal years
22 covered by the most recently adopted concur-
23 rent resolution on the budget.

24 “(C) The period of the four fiscal years
25 following the first six fiscal years covered by the

1 most recently adopted concurrent resolution on
2 the budget.”.

3 **SEC. 5. AMENDMENTS TO TITLE 31, UNITED STATES CODE.**

4 (a) DEFINITION.—Section 1101 of title 31, United
5 States Code, is amended by adding at the end thereof the
6 following new paragraph:

7 “(3) ‘biennium’ has the meaning given to such
8 term in paragraph (11) of section 3 of the Congres-
9 sional Budget and Impoundment Control Act of
10 1974 (2 U.S.C. 622(11)).”.

11 (b) BUDGET CONTENTS AND SUBMISSION TO THE
12 CONGRESS.—

13 (1) The matter preceding paragraph (1) in sec-
14 tion 1105(a) of title 31, United States Code, is
15 amended to read as follows:

16 “(a) On or before the first Monday in February of
17 each odd-numbered year (or, if applicable, as provided by
18 section 300(b) of the Congressional Budget Act of 1974),
19 beginning with the One Hundred Sixth Congress, the
20 President shall transmit to the Congress, the budget for
21 the biennium beginning on October 1 of such calendar
22 year. The budget transmitted under this subsection shall
23 include a budget message and summary and supporting
24 information. The President shall include in each budget
25 the following:”.

1 (2) Section 1105(a)(5) of title 31, United
2 States Code, is amended by striking “the fiscal year
3 for which the budget is submitted and the 4 fiscal
4 years after that year” and inserting “each fiscal
5 year in the biennium for which the budget is submit-
6 ted and in the succeeding 4 years”.

7 (3) Section 1105(a)(6) of title 31, United
8 States Code, is amended by striking “the fiscal year
9 for which the budget is submitted and the 4 fiscal
10 years after that year” and inserting “each fiscal
11 year in the biennium for which the budget is submit-
12 ted and in the succeeding 4 years”.

13 (4) Section 1105(a)(9)(C) of title 31, United
14 States Code, is amended by striking “the fiscal
15 year” and inserting “each fiscal year in the bien-
16 nium”.

17 (5) Section 1105(a)(12) of title 31, United
18 States Code, is amended—

19 (A) in subparagraph (A), by striking “the
20 fiscal year” and inserting “each fiscal year in
21 the biennium”; and

22 (B) in subparagraph (B), by striking “4
23 fiscal years after that year” and inserting “4
24 fiscal years immediately following the second
25 fiscal year in such biennium”.

1 (6) Section 1105(a)(13) of title 31, United
2 States Code, is amended by striking “the fiscal
3 year” and inserting “each fiscal year in the bien-
4 nium”.

5 (7) Section 1105(a)(14) of title 31, United
6 States Code, is amended by striking “that year” and
7 inserting “each fiscal year in the biennium for which
8 the budget is submitted”.

9 (8) Section 1105(a)(16) of title 31, United
10 States Code, is amended by striking “the fiscal
11 year” and inserting “each fiscal year in the bien-
12 nium”.

13 (9) Section 1105(a)(17) of title 31, United
14 States Code, is amended—

15 (A) by striking “the fiscal year following
16 the fiscal year” and inserting “each fiscal year
17 in the biennium following the biennium”;

18 (B) by striking “that following fiscal year”
19 and inserting “each such fiscal year”; and

20 (C) by striking “fiscal year before the fis-
21 cal year” and inserting “biennium before the bi-
22 ennium”.

23 (10) Section 1105(a)(18) of title 31, United
24 States Code, is amended—

1 (A) by striking “the prior fiscal year” and
 2 inserting “each of the 2 most recently com-
 3 pleted fiscal years”;

4 (B) by striking “for that year” and insert-
 5 ing “with respect to those fiscal years”; and

6 (C) by striking “in that year” and insert-
 7 ing “in those fiscal years”.

8 (11) Section 1105(a)(19) of title 31, United
 9 States Code, is amended—

10 (A) by striking “the prior fiscal year” and
 11 inserting “each of the 2 most recently com-
 12 pleted fiscal years”;

13 (B) by striking “for that year” and insert-
 14 ing “with respect to those fiscal years”; and

15 (C) by striking “in that year” each place
 16 it appears and inserting “in those fiscal years”.

17 (c) ESTIMATED EXPENDITURES OF LEGISLATIVE
 18 AND JUDICIAL BRANCHES.—Section 1105(b) of title 31,
 19 United States Code, is amended by striking “each year”
 20 and inserting “each even-numbered year”.

21 (d) RECOMMENDATIONS TO MEET ESTIMATED DE-
 22 FICIENCIES.—Section 1105(c) of title 31, United States
 23 Code, is amended—

24 (1) by striking “fiscal year for” each place it
 25 appears and inserting “biennium for”;

1 (2) by inserting “or current biennium, as the
2 case may be,” after “current fiscal year”; and

3 (3) by striking “that year” and inserting “that
4 period”.

5 (e) CAPITAL INVESTMENT ANALYSIS.—Section
6 1105(e)(1) of title 31, United States Code, is amended
7 by striking “ensuing fiscal year” and inserting “biennium
8 to which such budget relates”.

9 (f) SUPPLEMENTAL BUDGET ESTIMATES AND
10 CHANGES.—

11 (1) Section 1106(a) of title 31, United States
12 Code, is amended—

13 (A) in the matter preceding paragraph (1),
14 by—

15 (i) striking “Before July 16 of each
16 year,” and inserting “Before February 15
17 of each even numbered year,”; and

18 (ii) striking “fiscal year” and insert-
19 ing “biennium”;

20 (B) in paragraph (1), by striking “that fis-
21 cal year” and inserting “each fiscal year in
22 such biennium”;

23 (C) in paragraph (2), by striking “4 fiscal
24 years following the fiscal year” and inserting “4
25 fiscal years following the biennium”; and

1 (D) in paragraph (3), by striking “fiscal
2 year” and inserting “biennium”.

3 (2) Section 1106(b) of title 31, United States
4 Code, is amended by striking “the fiscal year” and
5 inserting “each fiscal year in the biennium”.

6 (g) CURRENT PROGRAMS AND ACTIVITIES ESTI-
7 MATES.—

8 (1) Section 1109(a) of title 31, United States
9 Code, is amended—

10 (A) by striking “On or before the first
11 Monday after January 3 of each year (on or be-
12 fore February 5 in 1986)” and inserting “At
13 the same time the budget required by section
14 1105 is submitted for a biennium”; and

15 (B) by striking “the following fiscal year”
16 and inserting “each fiscal year of such period”.

17 (2) Section 1109(b) of title 31, United States
18 Code, is amended by striking “March 1 of each
19 year” and inserting “within 6 weeks of the Presi-
20 dent’s budget submission for each odd-numbered
21 year (or, if applicable, as provided by section 300(b)
22 of the Congressional Budget Act of 1974)”.

23 (h) YEAR-AHEAD REQUESTS FOR AUTHORIZING
24 LEGISLATION.—Section 1110 of title 31, United States
25 Code, is amended by—

1 **“§ 105. Title and style of appropriations Acts**

2 “(a) The style and title of all Acts making appropria-
3 tions for the support of the Government shall be as fol-
4 lows: ‘An Act making appropriations (here insert the ob-
5 ject) for each fiscal year in the biennium of fiscal years
6 (here insert the fiscal years of the biennium).’.

7 “(b) All Acts making regular appropriations for the
8 support of the Government shall be enacted for a biennium
9 and shall specify the amount of appropriations provided
10 for each fiscal year in such period.

11 “(c) For purposes of this section, the term ‘biennium’
12 has the same meaning as in section 3(11) of the Congres-
13 sional Budget and Impoundment Control Act of 1974 (2
14 U.S.C. 622(11)).”.

15 **SEC. 7. MULTIYEAR AUTHORIZATIONS.**

16 (a) IN GENERAL.—Title III of the Congressional
17 Budget Act of 1974 is amended by adding at the end the
18 following new section:

19 “AUTHORIZATIONS OF APPROPRIATIONS

20 “SEC. 314. (a) POINT OF ORDER.—It shall not be
21 in order in the House of Representatives or the Senate
22 to consider—

23 “(1) any bill, joint resolution, amendment, mo-
24 tion, or conference report that authorizes appropria-
25 tions for a period of less than 2 fiscal years, unless

1 the program, project, or activity for which the funds
2 are to be spent is of less than 2 years duration; and

3 “(2) in any odd-numbered year, any authoriza-
4 tion or revenue bill or joint resolution until Congress
5 completes action on the biennial budget resolution,
6 all regular biennial appropriations bills, and all rec-
7 onciliation bills.

8 “(b) APPLICABILITY.—In the Senate, subsection (a)
9 shall not apply to—

10 “(1) any measure that is privileged for consid-
11 eration pursuant to a rule or statute; or

12 “(2) any matter considered in Executive Ses-
13 sion.

14 “(c) DEFINITION.—For the purposes of this section,
15 the term ‘authorization and revenue bill or resolution’ does
16 not include an appropriations measure or reconciliation
17 bill.”.

18 (b) AMENDMENT TO TABLE OF CONTENTS.—The
19 table of contents set forth in section 1(b) of the Congres-
20 sional Budget and Impoundment Control Act of 1974 is
21 amended by adding after the item relating to section 313
22 the following new item:

“Sec. 314. Authorizations of appropriations.”.

1 **SEC. 8. GAO ASSISTANCE WITH AUTHORIZATIONS AND**
2 **OVERSIGHT.**

3 Section 717 of title 31, United States Code, is
4 amended by adding at the end thereof the following:

5 “(e) During the second session of each Congress, the
6 Comptroller General shall give priority to requests from
7 Congress for audits and evaluations of Government pro-
8 grams and activities.”.

9 **SEC. 9. APPROPRIATIONS FOR THE SECOND YEAR OF A BI-**
10 **ENNIUM.**

11 (a) IN GENERAL.—Chapter 13 of title 31, United
12 States Code, is amended by inserting after section 1310
13 the following new section:

14 **“§ 1311. Appropriations for the second year of a bien-**
15 **nium**

16 “(a)(1) If any regular appropriation bill becomes law
17 that provides funding only for the first year of a biennium,
18 there is appropriated for the second year, out of any mon-
19 eys in the Treasury not otherwise appropriated, and out
20 of other revenues, receipts, and funds, such sums as may
21 be necessary to continue those projects and activities for
22 which funds were provided in the first fiscal year of the
23 biennium at the rate of operations provided for the first
24 fiscal year of the biennium by that regular appropriation
25 bill.

1 “(2) In determining the rate of operations for the
2 first fiscal year of a biennium for purposes of paragraph
3 (1), the rate of operations for a project or activity for the
4 first fiscal year of a biennium shall take into account—

5 “(A) reductions made pursuant to an order
6 issued under section 251 or 254 of the Bal-
7 anced Budget and Emergency Deficit Control
8 Act of 1985; and

9 “(B) any cancellation made (or a dis-
10 approval of such cancellation) under part C of
11 title X of the Congressional Budget and Im-
12 poundment Control Act of 1974.

13 “(3) Appropriations and funds made available, and
14 authority granted, for any fiscal year pursuant to this sec-
15 tion for a project or activity shall be available for the pe-
16 riod beginning with the first day of such fiscal year and
17 ending with the last day of such fiscal year.

18 “(b) An appropriation or funds made available, or au-
19 thority granted, for a project or activity for any fiscal year
20 pursuant to this section shall be subject to the terms and
21 conditions imposed with respect to the appropriation
22 made, funds made available, or authority granted for such
23 project or activity for the preceding fiscal year.

24 “(c) This section shall not apply to a project or activ-
25 ity for a fiscal year if any other provision of law (other

1 than an authorization of appropriations) specifically pro-
2 vides that no appropriation shall be made, no funds shall
3 be made available, or no authority shall be granted for
4 such project or activity to continue for such period.

5 “(d) For purposes of this section, the term ‘regular
6 appropriation bill’ means any appropriation bill making
7 appropriations, otherwise making funds available, or
8 granting authority, for any 1 of the following categories
9 of projects and activities:

10 “(1) Agriculture, rural development, and relat-
11 ed agencies programs.

12 “(2) The Departments of Commerce, Justice,
13 and State, the judiciary, and related agencies.

14 “(3) The Department of Defense.

15 “(4) The government of the District of Colum-
16 bia and other activities chargeable in whole or in
17 part against the revenues of the District.

18 “(5) The Departments of Labor, Health and
19 Human Services, and Education, and related agen-
20 cies.

21 “(6) The Department of Housing and Urban
22 Development, and sundry independent agencies,
23 boards, commissions, corporations, and offices.

24 “(7) Energy and water development.

25 “(8) Foreign assistance and related programs.

1 “(9) The Department of the Interior and relat-
2 ed agencies.

3 “(10) Military construction.

4 “(11) The Department of Transportation and
5 related agencies.

6 “(12) The Treasury Department, the U.S.
7 Postal Service, the Executive Office of the President,
8 and certain independent agencies.

9 “(13) The legislative branch.”.

10 (b) AMENDMENT TO TABLE OF CONTENTS.—The
11 table of contents of chapter 13 of title 31, United States
12 Code, is amended by inserting after the item relating to
13 section 1310 the following new item:

“1311. Continuing appropriations.”.

14 **SEC. 10. GOVERNMENT PLANS AND REPORTS ON BIENNIAL**
15 **BASIS.**

16 (a) STRATEGIC PLANS.—Section 306 of title 5,
17 United States Code, is amended—

18 (1) in subsection (a), by striking “September
19 30, 1997” and inserting “September 30, 2000”; and

20 (2) in subsection (b), by striking “at least every
21 three years” and inserting “at least every 4 years”;
22 and

23 (3) striking “five years forward” and inserting
24 “six years forward”.

1 (b) PERFORMANCE PLANS.—Section 1115 of title 31,
2 United States Code, is amended—

3 (1) in subsection (a)—

4 (A) in the first sentence—

5 (i) by striking “section 1105(a)(29)”

6 and inserting “section 1105(a)(30)”; and

7 (ii) by striking “annual” and inserting
8 “biennial”;

9 (B) in paragraph (5) by striking “and”
10 after the semicolon;

11 (C) in paragraph (6) by striking the period
12 and inserting a semicolon; and

13 (D) by adding after paragraph (6) the fol-
14 lowing:

15 “(7) cover a 2-year period beginning with the
16 first fiscal year of the next biennial budget cycle;
17 and

18 “(8) include an executive summary which—

19 “(A) contains the most important perform-
20 ance goals necessary to achieve the agency’s
21 mission statement;

22 “(B) does not include more than 10 per-
23 formance goals; and

24 “(C) shall be prepared after consultation
25 with the Congress.”;

1 (2) in subsection (d) by striking “annual” and
2 inserting “biennial”; and

3 (3) by redesignating subsection (f) as sub-
4 subsection (g) and inserting after subsection (e) the fol-
5 lowing:

6 “(f) No later than March 31 of each even-numbered
7 year, the head of each agency shall submit to each commit-
8 tee of the Congress with jurisdiction, a preliminary draft
9 of the next biennial performance plan of the agency.”.

10 (c) PERFORMANCE REPORTS IN BUDGET SUBMIS-
11 SION.—Section 1105(a)(30) of title 31, United States
12 Code, is amended by—

13 (1) striking “1999” and inserting “2000”; and

14 (2) inserting before the period “, and beginning
15 with fiscal year 2002, a Federal Government per-
16 formance report for the overall budget as provided
17 under section 1116(h)”.

18 (d) PROGRAM PERFORMANCE REPORTS.—Section
19 1116 of title 31, United States Code, is amended—

20 (1) in subsection (d)—

21 (A) in paragraph (4) by striking “and”
22 after the semicolon;

23 (B) in paragraph (5) by striking the period
24 and inserting “; and”; and

1 (C) by adding after paragraph (5) the fol-
2 lowing:

3 “(6) describe any statutes that hindered the
4 agency’s ability to meet the mission statement of the
5 agency, and propose legislative recommendations to
6 modify or eliminate such statutory hindrances.”; and

7 (2) by adding at the end the following:

8 “(g) Each agency performance report shall include an
9 executive summary on the most important performance
10 goals as specified under section 1115(a)(8). The executive
11 summary for fiscal year 2000 shall include actual results
12 for the preceding fiscal year. The executive summary for
13 fiscal year 2001 shall include the actual results for the
14 two preceding years. The executive summary for fiscal
15 year 2002 and all subsequent executive summaries shall
16 include the actual results for at least the three preceding
17 fiscal years.

18 “(h) In carrying out section 1105(a)(30), the Direc-
19 tor of the Office of Management and Budget shall prepare
20 a report on previous Federal Government performance
21 plans (submitted under such section) comparing actual
22 performance to the stated goals for the 2 most-recent fis-
23 cal years for the report with the fiscal years 2002 and
24 2003 budget and at least the three most-recent fiscal years
25 for each report thereafter.”.

1 (e) COMMITTEE VIEWS OF PLANS AND REPORTS.—
2 Section 301(d) of the Congressional Budget Act (2 U.S.C.
3 632(d)) is amended by adding at the end “Each committee
4 of the Senate or the House of Representatives shall review
5 the strategic plans, performance plans, and performance
6 reports, required under section 306 of title 5, United
7 States Code, and sections 1115 and 1116 of title 31,
8 United States Code, of all agencies under the jurisdiction
9 of the committee. Each committee may provide its views
10 on such plans or reports to the Committee on the Budget
11 of the applicable House.”.

12 (f) EFFECTIVE DATE.—

13 (1) IN GENERAL.—The amendments made by
14 this section shall take effect on March 31, 1998.

15 (2) AGENCY ACTIONS.—Effective on and after
16 the date of the enactment of this Act, each agency
17 shall take such actions as necessary to prepare and
18 submit any plan or report in accordance with the
19 amendments made by this Act.

20 **SEC. 11. TWO-YEAR APPROPRIATIONS BILLS.**

21 (a) IN GENERAL.—Title III of the Congressional
22 Budget Act of 1974 (2 U.S.C. 631 et seq.) is amended
23 by adding at the end the following:

24 “CONSIDERATION OF TWO YEAR APPROPRIATIONS BILLS

25 “SEC. 315. It shall not be in order in the House of
26 Representatives or the Senate in any odd-numbered year

1 to consider any regular bill providing new budget authority
 2 under the jurisdiction of all of the subcommittees of the
 3 Committees on Appropriations for a period other than
 4 each of the fiscal years of the biennium.”.

5 (b) AMENDMENT TO TABLE OF CONTENTS.—The
 6 table of contents set forth in section 1(b) of the Congres-
 7 sional Budget and Impoundment Control Act of 1974 is
 8 amended by adding after the item relating to section 313
 9 the following new item:

“Sec. 315. Consideration of two year appropriations bills.”.

10 **SEC. 12. REPORT ON TWO YEAR FISCAL PERIOD.**

11 Not later than 180 days after the date of enactment
 12 of this Act, the Director of OMB shall—

13 (1) determine the impact and feasibility of
 14 changing the definition of a fiscal year and the
 15 budget process based on that definition to a 2-year
 16 fiscal period with a 2-year budget process based on
 17 the 2-year period; and

18 (2) report the findings of the study to the Com-
 19 mittees on the Budget of the House of Representa-
 20 tives and the Senate.

21 **SEC. 13. EFFECTIVE DATE.**

22 (a) IN GENERAL.—Except as provided in sections 10
 23 and 12 and subsection (b), this Act and the amendments
 24 make by this Act shall take effect on January 1, 1999,

1 and shall apply to budget resolutions and appropriations
2 for the biennium beginning with fiscal year 2000.

3 (b) AUTHORIZATIONS FOR THE BIENNIUM.—For
4 purposes of authorizations for the biennium beginning
5 with fiscal year 2000, the provisions of this Act and the
6 amendments made by this Act relating to 2-year author-
7 izations shall take effect January 1, 1998.

○